

REMARKS

Claims 1-39 are pending. Claims 1 and 12 stand rejected under 35 U.S.C § 102(b) as being anticipated by U.S. Patent No. 5,493,692 to Theimer. Claims 2-7, 10-11, 13-20, 22-29, and 31-38 stand rejected under 35 U.S.C § 103(a) as being unpatentable over U.S. Patent No. 5,493,692 to Theimer in view of U.S. Patent No. 5,327,486 to Wolff. Claims 8-9, 21, 30, and 39 stand rejected under 35 U.S.C § 103(a) as being unpatentable over U.S. Patent No. 5,493,692 to Theimer in view of U.S. Patent No. 5,327,486 to Wolff and U.S. Patent No. 6,092,102 to Wagner.

Reconsideration is requested. No new matter is added. The rejections are traversed. Claims 1, 7, 9, 13-14, 20-23, 29-32, and 38-39 are amended. Claims 40-44 are added. Claims 1-44 remain in the case for consideration.

The Applicant thanks the Examiner for returning the form PTO-1449 submitted on October 20, 2003.

REJECTIONS UNDER 35 U.S.C. § 102(b)

Claim 1 recites a message-processing agent operable in a Scalable Infrastructure system, the message-processing agent comprising: a receiver designed to receive an object from a receiver designed to receive an object from a persistent store called a Space, the Space part of the Scalable Infrastructure system; a default routing identifying a destination for the object; and a routing module designed to route the object to the destination.

In responding to the Applicant's arguments, the Examiner stated that "the claim as written states that the agent has 'a receiver designed to receive an object from a space in the Scalable Infrastructure system.' This clearly indicates that the agent receives the object from anywhere or anything in the system" (page 8 of the Office Action dated March 16, 2004).

Were the word "Space" not present in the claim, the Examiner's interpretation might have merit. But the word "Space" *is* present, and it is present precisely because the object is received *from the Space*. This is made clear in the specification: for example, in FIG. 2 and the accompanying description at page 5, line 23 through page 6, line 16.

In an effort to make this clearer for the Examiner, claim 1 has been amended to describe the agent as receiving the object from a persistent store called a Space. Support for the interpretation of the Space as a persistent store can be found in the specification at page 4, lines 9-10.

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In a further effort to clarify, the claims have been amended to capitalize the term "Space," to be consistent with the specification. This amendment is presented in case the Examiner thought that the uncapitalized term in the claims was intended to mean something different from the capitalized term in the specification.

Finally, claims 13, 22, and 31 are amended to describe the agent as "retrieving" the object from the Space, rather than simply "receiving" the object. The term "retrieving" suggests that the agent takes affirmative action to obtain the object, rather than passively receiving the object because some other aspect of the system has provided it to the agent. New claim 40 is an apparatus claim similar to claim 1, but having the agent "retrieve" the object from the Space, rather than "receiving" the object.

Because Theimer does not teach the concept of a Space as claimed, and therefore cannot teach an agent receiving or retrieving an object from such a Space, Theimer cannot anticipate claims 1 and 40. Accordingly, claims 1-12 and 40-44 are allowable.

REJECTIONS UNDER 35 U.S.C. § 103(a)

First, as argued above, Theimer does not teach the concept of a Space, nor does Theimer teach a Smart Secretary agent. Claims 13, 22, and 31 explicitly mention these features. As Theimer does not teach these features, for the rejection under 35 U.S.C. § 103(a) to continue to be proper, these features would have to be found in Wolff.

But Wolff, like Theimer, does not teach the concept of a Space that can hold objects, nor does Wolff teach an agent in the sense of Theimer, let alone in the sense of the patent application. The closest analog in Wolff to the Space of the invention is the local exchange network. But the local exchange network is not a Space, explicitly described as a permanent store, in which objects can be placed and removed at any time, as in the patent application. As described at column 3, lines 49-50, the PTM has to take calls from the local exchange network. This means (assuming that there is more than one PTM) that the local exchange network is responsible for determining which PTM will process a particular message, and once the PTM receives the call, the PTM must process the call. But in the patent application, the Smart Secretary only receives notice that the object is in the Space; the Smart Secretary does not have to retrieve the object if it doesn't want to, or if another Smart Secretary retrieves the object first. *See, e.g.*, claims 14, 23, and 32, which describe the Smart Secretary as receiving notice that the object is in the Space. It is important to note that nowhere in the specification or the claims is it stated, or even suggested, that the Smart Secretary *must* retrieve an object from the Space upon receiving notice from the Space that the object exists.



In addition, Wolff does not teach an agent to perform the routing as claimed. As argued above with reference to claim 1, the Smart Secretary receives the object from the Space, the object having been dropped into the Space by an agent for the device originating the object. The Smart Secretary is capable of taking any object in the Space, or none of them, depending on the circumstances. But, as pointed out above, the PTM of Wolff always has to process the call, because the local exchange network routes the call to the PTM. In other words, because no other PTM will process the call, the one to which it is routed *must* process the call. This means that the PTM is not an agent, such as the Smart Secretary.

This is important, because the Examiner has argued that Wolff teaches routing the object. But the claim explicitly describes the *Smart Secretary* as routing the object. Since Wolff does not teach an agent to route the call, Wolff cannot teach or suggest the feature of the claims.

Because neither Theimer nor Wolff teach all of the features of claims 13, 22, and 31, claims 13, 22, and 31 are not obvious over Theimer and Wolff. Accordingly, claims 13-39 are allowable.

For the foregoing reasons, reconsideration and allowance of claims 1-44 of the application as amended is solicited. The Examiner is encouraged to telephone the undersigned at (503) 222-3613 if it appears that an interview would be helpful in advancing the case.

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